



Home Education: Information on Child Benefit

SUMMARY

Education Otherwise is a charitable organisation which has been supporting home educated families for over forty years. Our information sheets are based on our knowledge and expertise, supported where appropriate by legal advice.

Key Messages

- 1) **School is not compulsory:** Education is compulsory, but school is not.
- 2) **Child benefit is payable for home educated children:** Child benefit is payable for home educated children and young people.
- 3) **Child benefit is payable after age 16:** Child benefit is payable for home educated children, provided that the criteria are met.
- 4) **You may need to notify HMRC:** Parents should notify HMRC if they do not receive a letter about their child's education.
- 5) **Child benefit is payable up to age 20:** Child benefit can be paid for home educated children up to age 20, just as it can for other children.

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Introduction

Education Otherwise is a charitable organisation which has been supporting home education and home educating families for over forty years.

For most parents, the choice to home educate is a lifestyle choice, requiring significant commitment in terms of time and resources; it is not something that parents generally decide to do without a great deal of research and thought. The decision to home educate can be made for a great many reasons, such as wanting to travel widely, wanting to spend more time together as a family, providing for a child's special interests, a child having special needs, being bullied, or simply being less well suited to a school environment.



Home education is a legal choice

The choice of how to educate the child is that of the parent, provided that the education is suitable to the child's *'age, ability, aptitude and to any special educational needs (the child) may have'*¹. Parents who do not home educate their child can elect to discharge their duty to ensure that their child receives a suitable education, by registering their child into a school. Parents can and do decide to home educate their children at all stages of the child's education.

Home education is not something which is usually covered during benefit agency staff training, which can make it difficult for some staff to know how to proceed, when dealing with a claim relating to a home educated child.

This information relates to child benefit claims in England and Wales and is intended to help to guide parents in respect of the relevant actions to take when they are dealing with the child benefit claim for their child.

¹ Education Act 1996 s7

Education is compulsory, school is not.

Education is compulsory for all children in England and Wales from whichever date is soonest of the 1st January, 1st April, or 1st September after the child attains 5 years of age. Education remains compulsory to the last day of June in the school year during which the child attains 16 years of age.

The duty to ensure that the child receives a suitable education is a duty upon the parent, regardless of how the child is educated and this derives from the Education Act 1996 s7:



**‘The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—
(a) to his age, ability and aptitude, and
(b) to any special educational needs he may have, either by regular attendance at school or otherwise’.**

This means that home education is of equal status in law to school education and a parent may elect to home educate at any point during the child’s compulsory education years. In fact, home education is the default position, as a child does not become a registered school pupil until such point as a parent elects to register that child in a school.

Parents of home educated children are not required to notify the child benefit office that their child is home educated, provided that the child is under 16 years of age.

All children

Child benefit is payable for all children in England and Wales, until they cease to be of compulsory school age and this includes home educated children.

Payment of child benefit would normally end on 31st August following the child's 16th birthday, or on that date if the child's birthday is on the 31st August.

Parents can ask for an extension for up to 20 weeks, if their child is 16 or 17 and has left full time non-advanced education, or approved training and registered for work, education or training with a 'qualifying body'. Parents must claim the extension to qualify.



All parents can claim child benefit for their children, including parents of home educated children.



Claims can be made online at: <https://www.gov.uk/government/publications/child-benefit-apply-for-extension-ch299>

After compulsory school age

Parents will usually be sent a letter by the child benefit office, early in the year during which their child attains 16 years of age. If parents do not receive a letter, they should notify the child benefit office that their child is continuing in full time, non-advanced education. Notification can be made online at: <https://www.gov.uk/government/publications/child-benefit-child-continuing-in-approved-education-or-training-ch297>

Home educating parents can continue to claim child benefit for a young person aged 16 and over, provided that they are not yet 20 years old and provided that they continue in full time, non-advanced education.

Parents claiming child benefit for an over 16 year old must ensure that the young person's education is full time approved education that started before they ceased to be of compulsory school age.

Child benefit is only payable for a young person over 16 years of age, if they were home educated prior to ceasing to be of compulsory school age

Parents are not able to claim child benefit for a young person commencing home education after they ceased to be of compulsory school age (Child Benefit General (Regulations) 2006, regulation 3). Please note that benefit can be claimed for children with an EHCP who commence home education post 16 (The Tax Credits, Child Benefit, Guardian's Allowance and Childcare Payments (Miscellaneous Amendments) Regulations 2020 6 (3)b).

Approved education

Parents often worry about what the term 'approved education' means for home educated young people, but it should not be a cause for concern. Approved education is home education which:

- **Takes place for at least 12 hours a week on average, or 540 hours each year, allowing for holiday periods;**
- **The home education must include an average of 12 hours a week of supervised study, or course-related work experience and**
- **It must not be advanced education. Advanced education means above level 3, or A levels and their equivalents.**

(Child Benefit (General) Regulations 2006, regulation 1, (3)).

'Supervised study' means periods during which the young person is:

- **receiving tuition;**
- **undertaking practical work;**
- **undertaking supervised study, or**
- **taking exams.**

Supervised study does not include time spent on meal breaks or unsupervised study.

Child benefit ends

Once a young person ceases to be home educated, child benefit will end at the next 'terminal date'. Terminal dates are:

- the last day in February;
- the last day in May;
- the last day in August and
- the last day in November,

Payment of child benefit during the period between ceasing home education and the terminal date, is subject to the young person not being in paid work for more than 24 hours each week and not being in receipt of certain benefits in their own right.

The Child Benefit (General) Regulations 2006, Regulation 7

It is important to remember that parents must notify any changes to the child benefit office, as if they do not do so and continue to claim child benefit, they can be prosecuted for making a fraudulent claim.



**It is important to notify changes
to the child benefit office**





The home education charity

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